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EX PARTE OR LATE FILED

March 24, 1998

NOTICE OF EX PARTE PRESENTATION

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

RECEIVED

MAR 24 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE CLERK

Re: *In the Matter of Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance for Provision of In-Region, InterLATA Services in Oklahoma, CC Docket No. 97-121*

Dear Ms. Salas:

Please be advised that yesterday Dale (Zeke) Robertson, Senior Vice President, SBC Telecommunications, Inc. and the undersigned, representing SBC Communications Inc., met with Thomas C. Power, Legal Adviser to the Chairman, in connection with the above-referenced proceeding. The purpose of the meeting was to provide a status report on the on-going discussions with the Common Carrier Bureau staff concerning the section 271 competitive checklist. The attached materials served as a basis for our discussion.

Should you have any questions concerning the foregoing, do not hesitate to contact me. In accordance with the Commission's rules, an original and one copy of this notification are submitted herewith.

Very truly yours,

Todd F. Silbergeld

Attachment

cc: Mr. Power

No. of Copies rec'd
List A B C D E

042

**STATUS OF STAFF DISCUSSIONS
CONCERNING SECTION 271 ISSUES**

March 23, 1998



SBC Communications Inc.

PLANNED PRE-FILING MEETING SCHEDULE FOR 271 ISSUES

DATE	MEETING TOPIC	LEAD SBC SME	CCB Policy Division	CCB Pricing Division	CCB Accounting Division	OGC Competition Division	Legal Advisers	GC/FCC	COMMENTS
January 23, 1998	"Non-Controversial" Issues I	Bill Deere/Bill Adair	✓						Number Administration, Dialing Parity, & Access to E-911
January 28, 1998	"Non-Controversial" Issues II	Rhonda Dickherber & Richard Keener	✓						White Pages, Directory Assistance & Operator Services
February 4, 1998	Poles, Ducts & Conduits and Interconnection (Section 271(c)(2)(B)(i))	Jim Hearst & Bill Deere	✓						Interconnection Trunks
February 11, 1998	Loops, Local Transport, and Local Switching	Bill Deere	✓						Sections 271(c)(2)(B)(iv) – (vi)
February 25, 1998	Databases & Signalling Systems and Number Portability	Dave Clippard (DB), Bill Deere (SS), Curt Hopfinger (INP), Gary Fleming (SWBT-LNP) & Sally Swan (PB-LNP)	✓						Section 271(c)(2)(B)(xi)
March 5, 1998	OSS Interfaces/Functions	Liz Ham	✓						10:30 a.m.-12:30 p.m.; Including System Capacity & Scalability, Testing, and Billing Issues
March 18, 1998	OSS Interfaces/Functions and Performance Measurements	Liz Ham & Randy Dysart	✓						
March 23, 1998	STAFF FEEDBACK: Groups 1 & 2 Issues	Marty Grambow & Paul Mancini	✓						
March , 1998	Access to UNEs & UNE Combinations	Bill Deere, Mike Auinbauh, Curt Hopfinger	✓			✓			Access to UNEs and Access to combinations of network elements
March , 1998	(1) Reciprocal Compensation and (2) Resale	Mike Auinbauh, Curt Hopfinger, Ed Allis, Charlie Cleek	✓						Section 271(c)(2)(B)(xiii) and (xiv)
April , 1998	Track A/Track B and Sec 272 Compliance	Austin Schlick (A/B), John Lube, Lee Jones, Kathy Rehmer, Kathleen Larkin	✓		✓	✓			Section 271(c)(1)(A) and (B)
April , 1998	Co-location: Terms & Conditions/Pricing	Mike Auinbauh, Curt Hopfinger, Carol Burdine	✓			✓			
April , 1998	State Issues Overview	Roger Toppins, Larry Walther & Bob Stafford	✓			✓	✓		Issues may include: state 271 filing, negotiated/arbitrated interconnection agreements, arbitration decisions, STCs, local competition update
April , 1998	Overview of FCC 271 Application	Zeke Robertson & Paul Mancini	✓			✓	✓	✓	

SBC'S SUCCESS IN OPENING ITS LOCAL MARKETS: SIGNIFICANT LOCAL COMPETITION EXISTS AND IS GROWING

February 1998 Report

SBC (Southwestern Bell Telephone, Pacific Bell and Nevada Bell) has dedicated significant resources and investment to open its markets to local competition and to comply with all requirements contained in the 1996 Telecommunications Act. As described in detail below, SBC has made available products, services and systems required by Section 251 and the competitive checklist of the 1996 Act, and competitive local exchange carriers ("CLECs") have ordered and are actually using these checklist services and products to provide local service in all seven SBC states. As a result of SBC's compliance efforts, CLECs now have everything they need to compete against SBC and can use resale, interconnection or unbundled network elements to compete for and take SBC customers.

SBC's Capital and Expense Investments To Open Its Markets

- Since the passage of the 1996 Act on February 6, 1996; SBC has devoted significant financial, technical and personnel resources to implement the market- and network-opening requirements of Sections 251 and 252 of the Act. SBC has spent approximately \$1 billion implementing the Act and opening its local markets to competition— including but not limited to equipment, computer hardware and software and manpower. By the end of 1998, SBC estimates that it will have spent a total of \$1.5 billion making certain it meets the requirements of the Act.
- Of the \$1 billion SBC has spent opening its local markets since the 1996 Act was passed, approximately \$400 million alone has been devoted to implementation of long-term number portability. Approximately \$600 million has also been spent on expense and capital costs incurred to make extensive changes and modifications to SBC's trunking networks in order to accommodate present and anticipated future CLEC traffic flows (e.g., tandem trunking, facility interconnection, customized routing, Access7, originating line number screening, unbundled network elements etc.) SBC has also devoted significant resources to develop and implement various forms of access to SBC's operations support systems ("OSS") to provide CLECs with access to SBC's pre-ordering, ordering, provisioning, repair & maintenance and billing systems. Finally, SBC has established and staffed four Local Service Centers to act as a single point of CLEC contact for the ordering and provisioning of interconnection facilities, resold services and unbundled elements.

Number of Employees

- More than 3,400 employees or contract staff in SWBT, Pacific Bell and Nevada Bell have been dedicated to implementing the market-opening requirements contained in the 1996 Act, including staffing SBC's four local service centers in Anaheim, Dallas, Fort Worth and San Francisco which handle and process CLEC orders.

Interconnection Agreements

- Signed Agreements: SBC and CLECs have signed 264 interconnection and resale agreements within SBC's seven-state service area.
- PUC Approved Agreements: The various state commissions have approved more than 210 SBC-CLEC interconnection and resale agreements. These approved agreements give the CLECs everything they say they need to provide local services and compete against SBC. There are a large number of approved agreements in each of SBC's states: Texas: 87; California: 27; Kansas: 24; Arkansas: 20; Oklahoma: 18; Missouri: 22 and Nevada: 13 approved agreements.
- Current Negotiations: SBC currently is in the process of negotiating more than 350 additional interconnection and resale agreements.

CLECs Competing Against SBC

- As of the end of January 1998 more than 160 CLECs were operational in SBC's territory and passing resale, interconnection or UNE orders to SBC. Over 80 CLECs were passing orders in Texas alone.

SBC Access Lines Lost to CLECs

- Through the end of January 1998, approximately 600,000 access lines have been lost to CLECs through resale or through the establishment of new facilities-based service by CLECs in SBC's seven-state service area. Approximately 550,000 SBC lines have been resold by CLECs and more than 47,000 additional existing lines are being served on a facilities-basis by CLECs in SBC's territory. The approximate breakdown of SBC resold lines lost to CLECs by state is as follows:

	<u>Total</u>	<u>Residential</u>	<u>Business</u>	<u>Priv. Coin</u>
a) California:	259,000	147,000	105,000	6,700
b) Texas:	227,000	176,000	40,000	11,000
c) Kansas:	32,500	15,000	17,000	0
d) Oklahoma:	10,800	8,800	1,900	9
e) Arkansas:	9,700	8,400	1,200	0
f) Missouri	6,000	1,500	4,500	0
g) Nevada	3,200	680	2,500	0
SBC 7 STATES:	549,000	359,000	172,000	18,100

- Resale activity is significant and had been escalating dramatically in SBC's territory. In the 24 months since the Act passed, SBC has lost approximately 550,000 lines to resale competition alone. More than 250,000 resale lines were lost in the last 5 months alone (from September through January)-with CLECs capturing an average of 50,000 resold lines from SBC in each of those months. Hence, CLECs have captured more than 45 percent of their total resold lines from SBC since September 1997. Resale activity (approximately 34,000 lines lost) was lower in January, 1998, but this situation was primarily the result of decisions by AT&T and MCI to de-emphasize their residential resale activities. Nevertheless, even if the major IXCs chose for their own internal business reasons not to take advantage of the residential resale option made available to them by SBC, there can be no dispute that SBC has met its obligations under the Act to make resale available to competitors. The figures listed above demonstrate that SBC has made available to CLECs all the systems and services they need to compete on a resale basis in each of SBC's states.

Interim Number Portability—One Indicator of Facilities-Based Competition

- More than 47,300 existing numbers have been ported via interim number portability by SBC for CLEC use in its seven states. Each of the numbers ported represents conversion of an existing line from SBC to a facilities-based CLEC provider. Hence, in addition to the 550,000 access lines that have been lost to CLECs through resale, at least 47,300 additional existing lines have been lost by SBC to facilities-based carriers. It should be noted, however, that lines do not have to be ported when CLECs serve new lines/customers on a facilities-basis and that SBC has no precise method for determining exactly how many additional lines or customers are being served by facilities-based providers in its seven states.

CLEC Orders Handled by SBC's OSS and Local Service Centers

- Since the 1996 Act passed, SBC's OSS and Local Service Center personnel have handled more than 1.44 million service orders from CLECs to order resold or second lines for their customers, change or add vertical services etc. Over 875,000 orders from CLECs have been processed in the SWBT five-state region and more than 560,000 orders in California/Nevada. The fact that SWBT processed more than 730,000 orders in 1997, and an additional 107,000 orders in January 1998 alone, without a backlog is strong evidence that SWBT has developed state-of-the-art OSS and that these systems are being used by CLECs to compete in the local market against SWBT.
- SBC also demonstrated in Texas that its OSS (which is the same system used in all five SWBT states) can handle large increases in volumes from CLECs. Over 760,000 CLEC service orders in Texas have been processed, with almost 90,000 orders processed in January 1998. SWBT's OSS and LSC have handled the increased volume of resold access lines and service orders without experiencing a backlog.

FACILITIES-BASED COMPETITION STATUS:

The following facts and figures demonstrate that SBC has opened its local markets to competition and that SBC is providing CLECs with the facilities they request from SBC in order to compete on a facilities-basis in the local exchange market.

Facilities-Based Competition Activity

- As described above, more than 47,000 existing lines have been ported via interim number portability by facilities-based competitors. This is one indicator of facilities-based competition that has occurred in SBC's seven states, but it underestimates the actual amount of facilities-based competition that has occurred. To illustrate, 37 existing residential lines have been ported in Texas, but CLECs have requested E-911 service for more than 2,250 residential customers in Texas from their own NXX Codes which were assigned to them to provide facilities-based service.
- CLECs currently are providing facilities-based local service to business customers in all seven SBC states.
- SBC is making available to CLECs through PUC-approved interconnection agreements and its new and modified systems and networks, all products, services and systems that CLECs need to provide facilities-based or UNE-based local service to residential and business customers.

UNEs, Interconnection and Other Facilities-Based Products Provided By SBC to CLECs

- SBC has provisioned approximately 200,000 one-and two-way interconnection trunks to CLECs in SBC's seven-state service area. These trunks allow CLECs to connect their networks and customers to SWBT's network. 120,000 of these trunks were provisioned in California and 75,000 interconnection trunks were provided to CLECs in the SWBT five-state region.
- More than 36,000 unbundled loops have been provisioned by SBC to CLECs in SBC's seven states. More than 330 unbundled switch ports have been requested by and provided to CLECs by SBC.
- CLECs have requested and SBC has provisioned 457 operational E-911 trunks to CLECs in SBC's seven-state service area. Of this number, 356 are located in California and about 100 are in SWBT states.
- More than 530 Directory/Operator Assistance trunks have been provisioned by SWBT to CLECs in the five SWBT states.

CLEC Collocation Arrangements

- More than 320 physical collocation arrangements are operational in SBC's seven-state service area -- 53 of these are in SWBT's region, with 271 in California/Nevada.

- More than 190 physical collocation arrangements (86 in SWBT and 107 in California/Nevada) are currently being worked on and pending completion.
- More than 50 virtual collocation arrangements are operational in SWBT's five-state territory, with an additional 7 pending completion.

Reciprocal Compensation – Another Indicator That SBC's Networks Are Open

- A substantial amount of traffic has been exchanged between SBC and CLECs, with most of that traffic (and the corresponding reciprocal compensation) going from SBC to the CLECs. For example, more than **3.1 billion** minutes of local traffic (excluding Internet traffic) has been exchanged between SWBT/Pacific Bell/Nevada Bell and CLECs over interconnection trunks. Almost 90% of this local traffic has terminated on SBC facilities. In addition, the fact that over **3.2 billion** minutes of Internet traffic has been exchanged between SBC and CLEC networks also demonstrates that SBC's networks have been opened to competition. These figures confirm that SBC's networks are open to and connect with CLEC networks.

Telephone Numbers Requested By and Assigned to CLECs

- More than 1,657 NXX codes (each code representing 10,000 numbers) have been assigned to CLECs in SBC's seven-state service area, with an additional 138 assignments pending. In other words, CLECs have requested and SBC has assigned 16.6 million telephone numbers to CLECs in its seven states; more than 8.3 million numbers have been requested by CLECs in California and an additional 8.2 million numbers have been requested in SWBT's five states.

Access to SBC White Page Directories

- CLEC information can be included in all White Page directories in SBC's seven state service areas. SBC has provided more than 406,000 white pages listings for CLEC customers.

Access to SBC Poles and Conduits

- SBC has provided competitors with access to more than 1.1 million of its poles and approximately 7.4 million feet of conduit space for their use to compete against SBC in its seven states.

Conclusion

- The resale, interconnection, facilities-based and OSS-related numbers listed above, provide strong and compelling evidence that SBC has opened each of its seven states to resale, facilities-based and UNE competition and that SBC provides CLECs with all the systems and services they need to capture SBC's local customers.
- A neutral examination of the record unequivocally confirms that SBC has complied with the 1996 Act and has opened its local markets to competition.

2/18/98 Report Date
Data through 1/98 unless otherwise noted

- ☒ End of Month Report
☐ Mid-Month Update
☐ Data through: 1/98 (unless otherwise noted)
☒ Shaded data through 12/97 (unless otherwise noted)

SBC's Section 251 / Checklist Provisioning Status

Report Date: 2/18/98

Green, Italicized, bolded data is corrected from previous edition.

#	CHECKLIST DESCRIPTION	PRODUCTS PROVIDED	AR	KS	MO	OK	TX	SWBT's 5 States	CA	NV	SBC TOTAL
1	Interconnection for the transmission and routing of telephone exchange service and exchange access at any technically feasible point within the carrier's network. (SWBT trunk data in Items 1 & 7 already a/o end of 1/98 on last report. Change due to correction)	Total Trunks Trunks Provided to CLECs One Way Trunks (SBC to CLEC) One Way Trunks (CLEC to SBC) Two Way Trunks Physical Collocation Operational Cages Pending Cages Virtual Collocation Operational Arrangements Pending Arrangements Number of Collocated Wire Centers (Note 1)	3,690 2,310 540 840 6 1 2 0 3 9 10 15 11 85 24,760 24,760 0 19,035 19,035 0 5,725 5,725 0 112 71,996 95 12 58 9 9 Yes Yes 0 12 58 9 9 Yes Yes 9,109 892 9,801 120,000 0	1,920 1,008 348 564 3 4 5 1 4 10 15 11 85 48,729 34,093 14,636 41,476 28,972 12,504 7,253 5,121 2,132 22 6,149 115 16 0** 10 10 Yes Yes 0 16 0** 10 10 Yes Yes 21,637 372 22,009 50,000 10,000	5,860 3,721 1,431 708 6 9 8 0 7 15 11 85 8,318 8,199 119 6,396 6,309 87 1,918 1,886 32 415 61,600 355 8 66 13 11 Yes Yes 3,479 571 4,050 680,000 0	7,818 6,081 1,185 552 14 4 3 2 11 11 85 29,166 26,151 3,015 22,832 20,408 2,424 6,330 5,739 591 186 34,761 199 18 64 11 11 Yes Yes 10,052 905 10,957 330,000 0	55,638 34,369 11,190 10,079 24 68 35 4 26 85 768,736 601,147 167,589 641,098 495,077 146,021 86,034 64,466 21,568 2,080 113,977 260 45 328 87 85 Yes Yes 143,632 1,579 145,211 7,040,000 20,000	74,928 47,489 14,694 12,743 53 86 53 7 51 130 879,709 694,350 185,359 730,837 569,801 161,036 107,260 82,937 24,323 2,815 288,483 1,024 99 518 99 97 Yes Yes 187,909 4,119 182,028 8.22M 30,000	119,817 13,800 1,560 104,457 268 106 Data Not Available 88 500 580,824 100% in 1996 0% in 1996 491,327 ~ 80% ~ 20% 40,572 2,202 ~ 20% 30,557 89 356 0 Data Not Available Data Not Available 205,703 8,995 212,698 30,000 0	1,237 0 0 1,237 3 1 Data Not Available 3 500 3,511 3,511 0 3,511 2,202 2,202 0 5,246 0 2 18 Data Not Available Data Not Available 1,142 547 1,689 30,000 0	195,980 61,289 16,254 118,437 324 193 142 161 1,443,744 1,225,675 150,034 1,184,784 7,448,293 36,827 Yes Yes 331 457 534 394,754 11,661 406,415 16.57M 1.38M
2	Nondiscriminatory access to network elements (In addition, See Items 3-6 below)	Number of CLECs passing orders Total orders processed (2/6/96 - 1/31/98) * Manual Electronic Total orders processed in 1997 * Manual Electronic Total orders processed in January 1998 * Manual Electronic	9 24,760 24,760 0 19,035 19,035 0 5,725 5,725 0	10 48,729 34,093 14,636 41,476 28,972 12,504 7,253 5,121 2,132	15 8,318 8,199 119 6,396 6,309 87 1,918 1,886 32	11 29,166 26,151 3,015 22,832 20,408 2,424 6,330 5,739 591	85 768,736 601,147 167,589 641,098 495,077 146,021 86,034 64,466 21,568	130 879,709 694,350 185,359 730,837 569,801 161,036 107,260 82,937 24,323	500 580,824 100% in 1996 0% in 1996 491,327 ~ 80% ~ 20% 40,572 2,202 ~ 20%	500 3,511 3,511 0 3,511 2,202 2,202 0	161 1,443,744 1,225,675 150,034
3	Nondiscriminatory access to poles, ducts, conduits and rights of way.	Total Number of Poles Attached (Note 2) Total Feet of Duct Occupied (Note 2)	112 71,996	22 6,149	415 61,600	186 34,761	2,080 113,977	2,815 288,483	500 580,824	500 3,511	1,184,784 7,448,293
4	Local loop transmission from the central office to the customer's premises, unbundled from local switching or other services.	Unbundled Loops	95	115	355	199	260	1,024	30,557	5,246	36,827
5	Local transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services.	Unbundled Transport Dedicated Transport Available? Shared Transport Available?	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes
6	Local switching unbundled from transport, local loop transmission or other services.	Unbundled Switch Ports	0	0	0	0	242	242	89	0	331
7	Nondiscriminatory access to 911 and E911, directory assistance, and operator call completion services.	E911 Trunks (not included in Item 1 Total) DAOA Trunks (not included in Item 1 Total) CLECs using Directory Assistance Service (Note 3) CLECs using "0" Call Completion Service (Note 3) Are CLECs offered E-911 service directly to government bodies or interconnecting with SBC's existing service arrangements?	12 58 9 9 Yes	16 0** 10 10 Yes	8 66 13 11 Yes	18 64 11 11 Yes	45 328 87 85 Yes	99 518 99 97 Yes	356 0 Data Not Available Data Not Available Yes	2 18 Data Not Available Data Not Available Yes	457 534 394,754 11,661 406,415
8	White pages directory listing for customers of other carrier's telephone exchange service.	Number of CLEC End User White Pages Listings (SWBT a/o mid 2/98) Resale Facilities Based Total	9,109 892 9,801	21,637 372 22,009	3,479 571 4,050	10,052 905 10,957	143,632 1,579 145,211	187,909 4,119 182,028	205,703 8,995 212,698	1,142 547 1,689	394,754 11,661 406,415
9	Nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange service customers. (Note 4)	Telephone Numbers Provided to CLECs Numbers Assigned Numbers Pending Assignment	(SWBT already a/o end of January on last report. No Change.) 120,000 0	50,000 10,000	680,000 0	330,000 0	7,040,000 20,000	8.22M 30,000	30,000 0	30,000 0	16.57M 1.38M

- ☒ End of Month Report
☐ Mid-Month Update
☐ Data through: 1/98 (unless otherwise noted)
☐ Shaded data through 12/97 (unless otherwise noted)

SBC's Section 251 / CLEC List Provisioning Status

Report Date: 2/18/98

Green, Italicized, bolded data is corrected from previous edition.

#	CHECKLIST DESCRIPTION	PRODUCTS PROVIDED	AR	KS	MO	OK	TX	SWBT's 5 States	CA	NV	SBC TOTAL
10	Nondiscriminatory access to databases and associated signaling necessary for call routing and completion	Access to 800, Line Information Database (LIDB), Calling Name Delivery Database (CNAM), and SS7 Signaling Network Available?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
11	Interim number portability through RCF or DID trunks. Each line ported represents conversion from SBC to a facilities based provider.	Lines Converted via INP Residential Lines Business Lines Total	0 455 455	0 274 274	0 367 367	0 5,626 5,626	37 10,102 10,139	37 16,824 16,861	0 22,758 22,758	0 7,745 7,745	37 47,327 47,364
12	Nondiscriminatory access to services and information required to allow implementation of dialing parity.	Are additional access codes or digits needed to complete local calls to or from CLEC customers? IntraLATA toll dialing parity available concurrent with SBC's provision of interexchange service?	No Yes	No Yes	No Yes	No Yes	No Yes	No Yes	No Yes	No Yes	No Yes
13	Reciprocal compensation arrangements. (Note 5)	Minutes of Use Exchanged Over Interconnection Trunks in 1997 (In Millions) From SBC to CLEC From CLEC to SBC Total Minutes of Use Exchanged Over Interconnection Trunks in January 1998 From SBC to CLEC From CLEC to SBC Total	27.7 6.8 34.3	0.0 0.0 0.0	13.2 0.0 13.2	83.9 4.0 87.9	118.6 49.1 167.7	243.4 59.7 303.1	2,549.4 284.6 2,834.0	0.1 0.0 0.1	2,792.9 344.3 3,137.2
14	Offering for resale at wholesale prices any telecommunications services offered at retail to subscribers who are not themselves carriers.	Resold Access Lines Business Lines Private Coin Lines Residential Lines Total	1,266 0 8,467 9,733	17,208 0 15,315 32,523	4,535 0 1,556 6,091	1,936 9 8,868 10,813	39,839 11,384 176,251 227,474	64,784 11,393 210,457 286,634	104,782 6,746 147,487 259,015	2,580 0 684 3,264	172,146 18,139 358,628 548,913

Note 1: CA collocated wired centers total reflects physical arrangements only.

Note 2: CA and NV data updated quarterly.

Note 3: SWBT total counts each CLEC once, although it may appear in multiple states.

Note 4: Each NXX Code equals 10,000 telephone numbers.

Note 5: Totals do not include disputed Internet minutes of use. However, the fact that over 3, 243M and 207M minutes of Internet traffic have been exchanged between SBC and CLEC networks in 1997 and 1998 respectively also demonstrates that SBC's networks have been opened to competition. 1997 totals include Local, Optional EAS, and IntraLATA toll MOU. 1998 numbers include only Local and Optional EAS traffic.

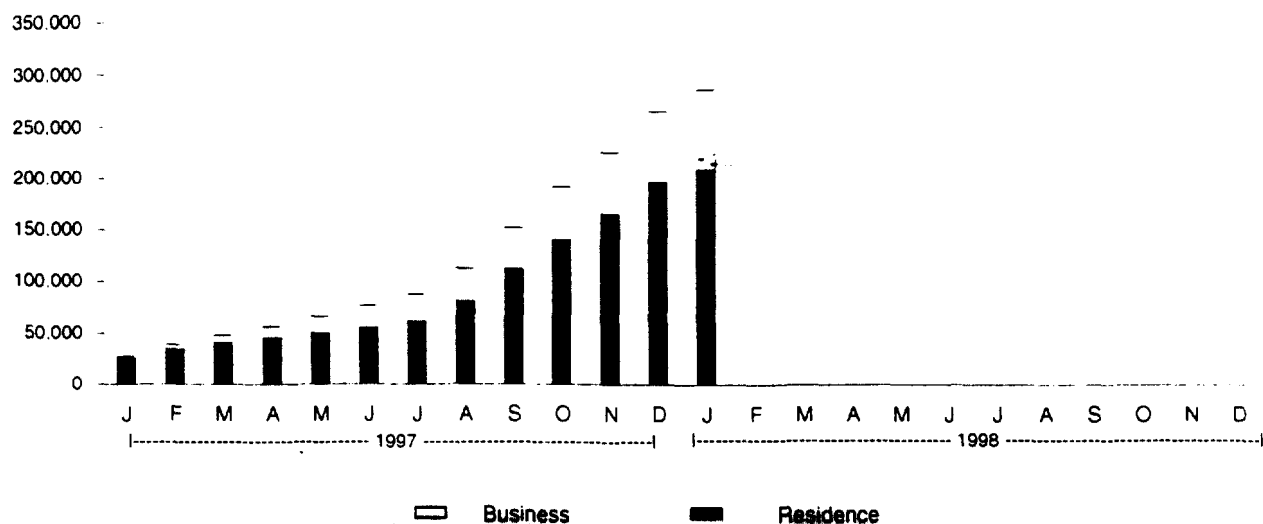
* CA Order Volumes include Resale activity only. All others include Resale and Facilities Based orders.

** KS does have OA/DA trunks. In process of splitting those OA/DA trunks terminating and counted in KC, MO that serve both KS and MO.

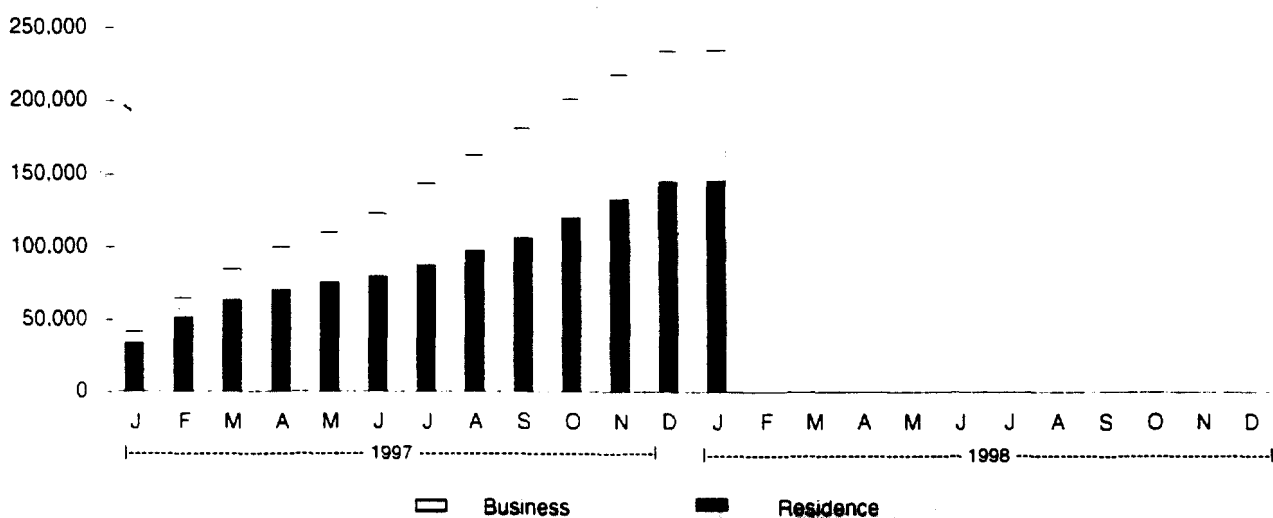
CLEC Certifications		AR	KS	MO	OK	TX	SWBT's 5 States	CA	NV	SBC TOTAL
	Number Approved	16	43	36	31	149	275	111	34	420
	Number Pending	25	12	13	15	21	86	28	11	125
CLEC Interconnection Agreements (as of 2/18/98)										
	Number Signed	25	32	32	33	101	223	29	12	264
	Number Approved	20	24	22	18	87	171	27	13	211
	Number of Arbitrations Completed	1	3	3	1	11	19	4	0	23
	Number of Arbitrations in Progress	0	1	0	0	1	2	0	1	3
	Number Under Negotiation	45	42	48	45	119	299	36	21	356

SBC Resold Lines - Cumulative Resale Lines Lost to CLECs

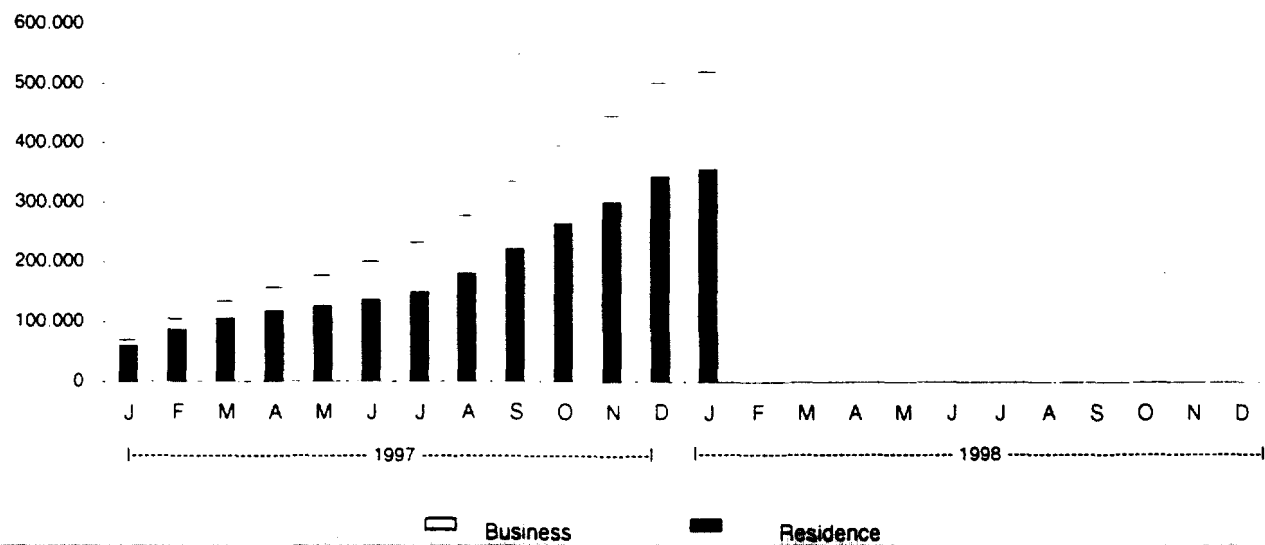
Southwestern Bell Telephone



Pacific Bell

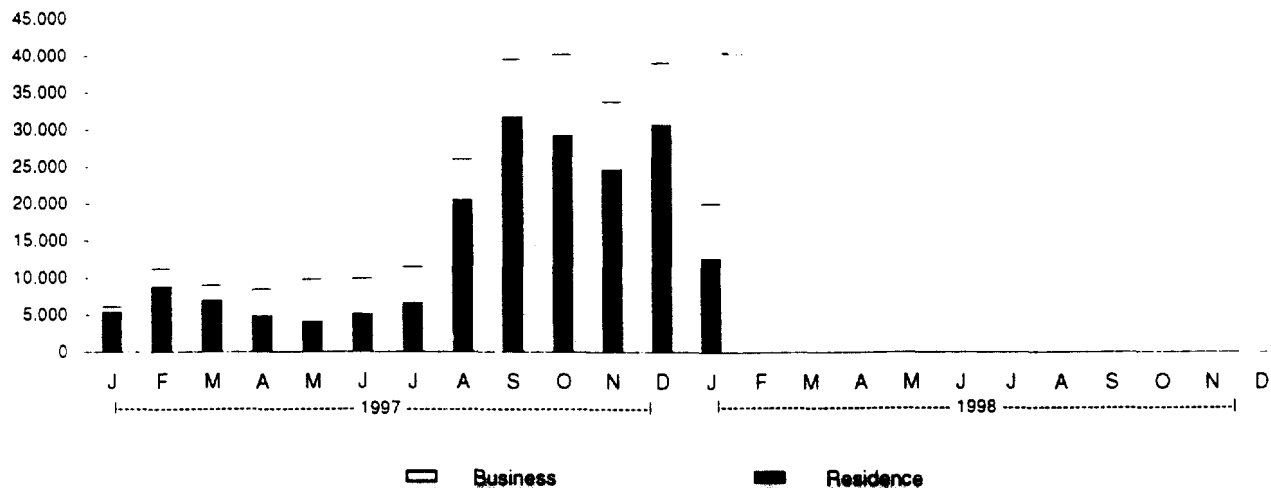


SBC Consolidated

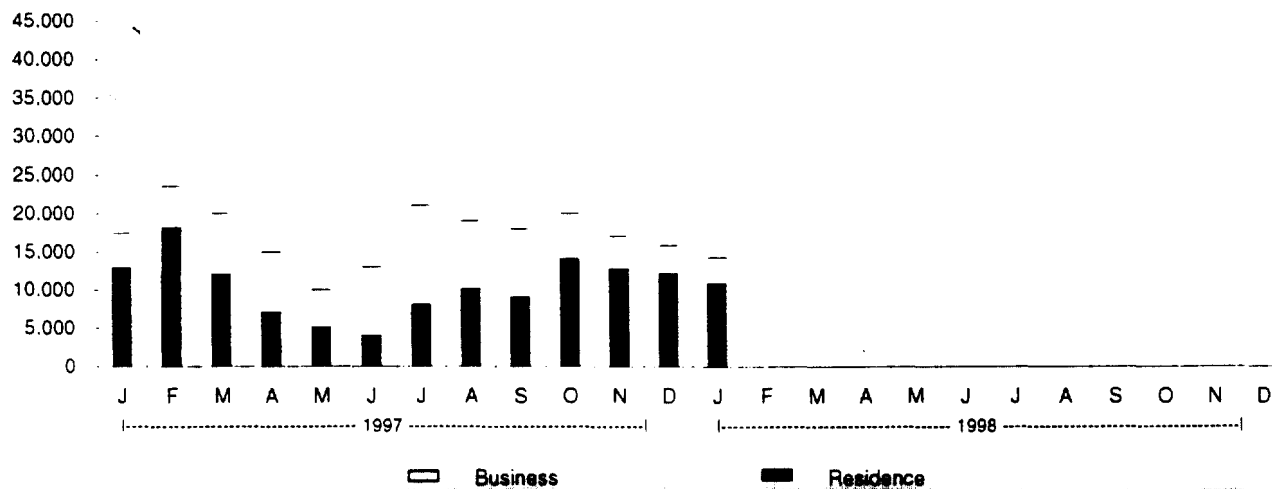


SBC Resold Lines - Monthly Resale Lines Lost to CLECs

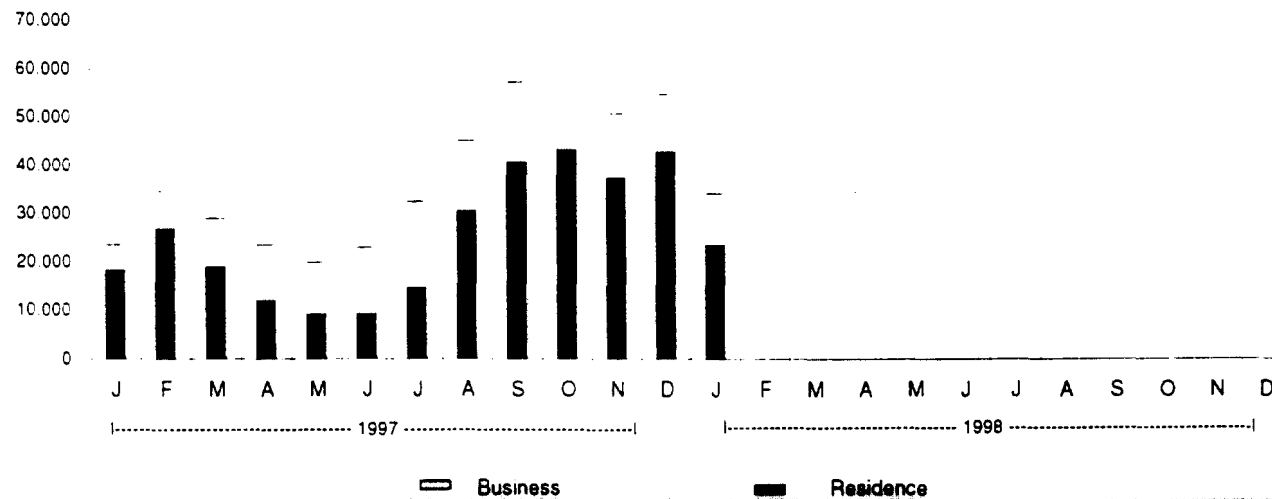
Southwestern Bell Telephone



Pacific Bell



SBC Consolidated



		Witness
1	INTERCONNECTION (Checklist Item (i))	
1.1	For transmission and routing of exchange and exchange access service (Act. § 251 (c)(2)(A); 47 CFR § 51.305(a)(1))	Deere Affidavit, ¶ 9
1.2	At any technically feasible point (Act. § 251 (c)(2)(B); 47 CFR § 51.305(a)(2)), including:	Deere Affidavit, ¶¶ 9, 58
1.2.1	Line side of local switch (47 CFR § 51.305(a)(2)(i))	Deere Affidavit, ¶ 14
1.2.2	Trunk side of local switch (47 CFR § 51.305(a)(2)(ii))	Auinbauh Affidavit, Schedule 4 Deere Affidavit, ¶¶ 13, 29-39
1.2.3	Trunk interconnection points of a tandem (47 CFR § 51.305(a)(2)(iii))	Deere Affidavit, ¶ 13
1.2.4	Central office cross-connect points (47 CFR § 51.305(a)(2)(iv))	Deere Affidavit, ¶ 13
1.2.5	Out-of-band signaling transfer points necessary to exchange traffic and access call-related databases (47 CFR § 51.305(a)(2)(v))	Deere Affidavit, ¶ 13
1.2.6	Points of access to unbundled network elements (47 CFR § 51.305(a)(2)(vi))	Deere Affidavit, ¶ 13
1.3	Two-way trunking upon request and as technically feasible (47 CFR § 51.305(f))	Deere Affidavit, ¶ 31
1.4	Through any technically feasible interconnection method, including: (47 CFR § 51.321(a), (b))	Deere Affidavit, ¶¶ 9-14
1.4.1	Physical and virtual collocation (Act. § 251(c)(6); 47 CFR § 51.321(b)(1))	Auinbauh Affidavit, ¶¶ 15-35, 41-45; Schedules 4-6 Deere Affidavit, ¶¶ 15, 18, 23
1.4.1.1	For any type of equipment used for interconnection or access to unbundled network elements, including optical terminating equipment and multiplexers and equipment being collocated to terminate basic transmission facilities (47 CFR §§ 51.323(b), 51.323(b)(1))	Deere Affidavit, ¶¶ 11-12, 16
1.4.1.2	Interconnection point or points accessible to both SBC and the competing LEC as close as possible to SBC's premises (47 CFR § 51.323(d)(1))	Deere Affidavit, ¶¶ 10-14, 19

1.4.1.3	At least 2 interconnection points where there are at least 2 entry points at which space is available for new facilities (47 CFR § 51.323(d)(2))	Deere Affidavit, ¶ 19
1.4.1.4	Allow interconnection of copper or coaxial cable if approved by the state (47 CFR 51.323(d)(2))	Deere Affidavit, ¶¶ 9, 15
1.4.1.5	Allow physical collocation of microwave facilities where technically feasible, or virtual collocation if physical collocation is not technically feasible (47 CFR § 51.323(d)(4))	Deere Affidavit, ¶¶ 15, 18, 23
1.4.1.6	For virtual collocation, install, maintain, and repair collocated equipment in same manner as SWBT's own equipment (47 CFR § 51.323(e))	Auinbauh Affidavit, ¶¶ 41-45 Deere Affidavit, ¶¶ 18-20, 23, 26 Kramer Affidavit ¶¶ 13-14, 23, 28
1.4.1.7	Allocate space for collocation (47 CFR §§ 51.323(b), 51.323(f))	Auinbauh Affidavit, ¶¶ 23-24; Schedule 5 Deere Affidavit, ¶¶ 15-17, 20, 22
1.4.1.8	Allow requesting carrier to connect collocated equipment to SWBT's unbundled network elements (47 CFR § 51.323(g))	Auinbauh Affidavit, ¶¶ 23-24; Schedule 5 Deere Affidavit, ¶¶ 15-17, 22
1.4.1.9	Permit two collocating carriers to interconnect equipment at SWBT's premises (47 CFR § 51.323(h))	Auinbauh Affidavit, ¶ 24; Schedule 5 Deere Affidavit, ¶¶ 15, 20
1.4.1.10	Permit subcontracting of physical collocation construction with contractors approved by SWBT, using the same criteria as SWBT in approving its own contractors (47 CFR § 51.323(j))	Auinbauh Affidavit, Schedule 5 Deere Affidavit, ¶ 21
1.4.2	Meet point arrangements (47 CFR § 51.321(b)(2))	Deere Affidavit, ¶ 31
1.5	Provide technical information regarding SWBT's facilities to allow requesting carrier to achieve interconnection (47 CFR § 51.305(g))	Auinbauh Affidavit, ¶¶ 21-22; Schedules 5-6
1.6	Pricing for interconnection is just, reasonable, and nondiscriminatory, is based on cost, and includes a reasonable profit, and is no less favorable than the terms and conditions SWBT applies to itself (Act. §§ 251(c)(2)(D), 252(d)(1), 47 CFR § 51.305(a)(5))	Auinbauh Affidavit, ¶¶ 7, 36-40 Loehman Affidavit, ¶¶ 9c, e, f, g, 16-32; Schedule G

<p>2 UNBUNDLED NETWORK ELEMENTS (Checklist Item (ii))</p>	
<p><i>General Provisions for Unbundled Network Elements</i></p>	
<p>2.1 Provide to any requesting carrier nondiscriminatory access to network elements (Act. §§ 251(c)(3), 271(c)(2)(B)(ii); 47 CFR § 51.307(a))</p>	<p>Auinhauh Affidavit, ¶¶ 46 Deere Affidavit, ¶¶ 40-57 Loehman Affidavit, ¶ 9a</p>
<p>2.2 At any technically feasible point (Act. § 251(c)(3); 47 CFR § 51.307(a))</p>	<p>Deere Affidavit, ¶¶ 43-44</p>
<p>2.3 On rates, terms, and conditions that are just, reasonable, and nondiscriminatory (Act. § 251(c)(3); 47 CFR § 51.307(a))</p>	<p>Deere Affidavit, ¶¶ 42, 44 Loehman Affidavit, ¶¶ 9f, g</p>
<p>2.4 Provide network elements in a manner that allows requesting carrier to provide any telecommunications service that may be offered by means of that element (Act. § 251(c)(3); 47 CFR § 51.307(c))</p>	<p>Deere Affidavit, ¶¶ 42, 44</p>
<p>2.5 Access to the facility or functionality of a network element provided separately from access to other elements, and for a separate charge (47 CFR § 51.307(d))</p>	<p>Deere Affidavit, ¶ 45</p>
<p>2.6 Provide technical information regarding SWBT's facilities to enable requesting carrier to achieve access to elements (47 CFR § 51.307(e))</p>	<p>Deere Affidavit, ¶ 44, 59, 85; Schedule 1</p>
<p>2.7 No limitations, restrictions, or requirements on requests that would impair a requesting carrier's ability to provide a telecommunications service in a manner it intends (47 CFR § 51.309(a))</p>	<p>Deere Affidavit, ¶¶ 42, 46</p>
<p>2.8 Requesting carrier may purchase an unbundled network element to provide exchange access service to itself (47 CFR § 51.309(b))</p>	<p>Deere Affidavit, ¶ 47</p>
<p>2.9 Requesting carrier is entitled to exclusive use of an unbundled network facility for a period of time, and to use of an unbundled feature, function, or capability for a period of time (47 CFR § 51.309(c))</p>	<p>Deere Affidavit, ¶ 48</p>
<p>2.10 SWBT retains duty to maintain, repair, or replace the element (47 CFR § 51.309(c))</p>	<p>Deere Affidavit, ¶ 48 Kramer Affidavit, ¶¶ 23, 28</p>

2.11	Where technically feasible, quality of the element and access to the element must be at least equal to what SWBT provides itself or any subsidiary, affiliate, or other party (47 CFR §§ 51.311(a), (b))	Deere Affidavit, ¶¶ 42, 48
2.12	Terms and conditions of access to elements offered equally to all requesting carriers (47 CFR § 51.313(a))	Auinbauh Affidavit, ¶ 46 Deere Affidavit, ¶ 49 Loehman Affidavit, ¶ 33; Schedule H
2.13	Terms and conditions of access to elements shall be no less favorable than terms and conditions under which SWBT provides such elements to itself (47 CFR § 51.313(b))	Deere Affidavit, ¶ 48 Loehman Affidavit, ¶ 33; Schedule H
2.14	Pricing is just, reasonable, and nondiscriminatory, is based on cost, and includes a reasonable profit (Act. § 252(d)(1))	Loehman Affidavit, ¶¶ 9a, c, f, g, 16-32; Schedule G
<i>Combinations of Unbundled Elements (47 CFR § 51.315)</i>		
2.15	Unbundled elements provided in a manner that allows requesting carriers to combine them to provide a telecommunications service (47 CFR § 51.315(a))	Deere Affidavit, ¶¶ 46, 50, 84-113 Loehman Affidavit, ¶ 33; Schedule H
<i>Network Interface Device (47 CFR § 51.319(b))</i>		
2.16	Requesting carrier can connect its local loops to customer's inside wiring through SWBT's NID and an adjoining NID deployed by requesting carrier (47 CFR § 51.319(b)(2))	Deere Affidavit, ¶ 51, 53-56
<i>Operations Support Systems</i>		
2.17	All required OSS functions made available to purchasers of unbundled elements (47 CFR § 51.313(c))	Deere Affidavit, ¶ 51 Ham Affidavit, ¶ 6 Kramer Affidavit, ¶¶ 23-25
2.18	Pre-ordering and provisioning (47 CFR § 51.319(f)(1))	Auinbauh Affidavit, Schedule 4 Dysart Affidavit, Pre-Ordering ¶¶ 16-25 Dysart Affidavit, Provisioning ¶¶ 40-66 Ham Affidavit, ¶¶ 25-41 Kramer Affidavit, ¶¶ 13-14 Lowrance Affidavit, ¶ 16 Thorsen Affidavit, pp. 3, 5-8, 14-15 See also § 2.22 below

2.19	Ordering (47 CFR § 51.319(f)(1))	Auinbauh Affidavit, Schedule 4 Dysart Affidavit, ¶¶ 26-39 Ham Affidavit, ¶¶ 42-90; Attachment G Lowrance Affidavit, ¶¶ 14-27, 33-35 Thorsen Affidavit, pp. 7-8, 14-15
2.20	Maintenance and repair (47 CFR § 51.319(f)(1))	Dysart Affidavit, ¶¶ 67-90 Ham Affidavit, ¶¶ 91-106 Kramer Affidavit, ¶¶ 23-31
2.21	Billing (47 CFR § 51.319(f)(1))	Dysart Affidavit, ¶¶ 91-125 Ham Affidavit, ¶¶ 107-118 Lowrance Affidavit, ¶¶ 28-29
Operator Services and Directory Assistance		
2.22	Operator services facilities (47 CFR § 51.319(g))	Auinbauh Affidavit, Schedule 4 Deere Affidavit, ¶ 51 Dysart Affidavit, ¶¶ 126-134 Keener Affidavit, ¶ 13
2.23	Directory Assistance facilities (47 CFR § 51.319(g))	Dysart Affidavit, ¶¶ 126-134 Keener Affidavit, ¶¶ 7-12
2.24	Access provided where technically feasible (47 CFR § 51.319(g))	Deere Affidavit, ¶¶ 51, 58-59, 77, 79
Further Unbundling		
2.25	Unbundling of additional elements where technically feasible in accordance with 47 CFR § 51.317	Deere Affidavit, ¶ 58
3	POLES, DUCTS, CONDUITS, AND RIGHTS OF WAY (Checklist Item (iii))	
3.1	Provide nondiscriminatory access on same basis as provided to SWBT, its affiliates, or any other person at just and reasonable rates in accordance with the requirements of Section 224 of the Act (Act, §§ 224, 251(b)(4), 271(c)(2)(B)(iii); 47 CFR § 1.1403(a))	Auinbauh Affidavit, Schedule 4 Hearst Affidavit, ¶¶ 36-40
3.2	Costs of modifications allocated in accordance with 47 CFR § 1.1416	Hearst Affidavit, ¶ 32

4	UNBUNDLED LOOPS (Checklist Item (iv))	
4.1	Transmission facility between an MDF or equivalent facility in SWBT's central office and end-user premises (47 CFR § 51.319(a))	Auinbauh Affidavit, Schedule 14 Deere Affidavit, ¶¶ 51, 62, 202-204
4.2	Pricing is just, reasonable, and nondiscriminatory, is based on cost, and includes a reasonable profit (Act. § 252(d)(1))	Loehman Affidavit, ¶¶ 9a, c, f, g, 16-32; Schedule G
5	UNBUNDLED TRANSPORT (Checklist Item (v))	
5.1	Dedicated transport or entrance facilities or shared transport facilities providing telecommunications service between wire centers or switches owned by SWBT or requesting carrier; from trunk side of switch unbundled from switching or other services (47 CFR § 51.319(d)(1))	Deere Affidavit, ¶¶ 66-73
5.2	Exclusive use of interoffice transmission facilities dedicated to a particular customer or carrier (47 CFR § 51.319(d)(1))	Deere Affidavit, ¶¶ 66-73
5.3	Provide all technically feasible transmission facilities, features, functions, and capabilities that requesting carrier could use to provide telecommunications services (47 CFR § 51.319(d)(2)(ii))	Deere Affidavit, ¶¶ 66-73, 107-113
5.4	Permit, as technically feasible, requesting carrier to connect interoffice facilities to equipment it designates, including its collocated facilities (47 CFR § 51.319(d)(2)(iii))	Deere Affidavit, ¶¶ 66-68, 74
5.5	Permit requesting carrier to obtain functionality of SWBT's DCS systems in same manner as interexchange carriers (47 CFR § 51.319(d)(2)(iv))	Deere Affidavit, ¶ 71
5.6	Pricing is just, reasonable, and nondiscriminatory, is based on cost, and includes a reasonable profit (Act. § 252(d)(1))	Loehman Affidavit, ¶¶ 9a, c, f, g, 16-32; Schedule G
6	LOCAL AND TANDEM SWITCHING (Checklist Item (vi))	
6.1	Local switching capability (Act. § 271(c)(2) (B)(vi); 47 CFR § 51.319(c)(1))	Auinbauh Affidavit, Schedule 4 Deere Affidavit, ¶ 74

6.1.1	Line-side facilities (47 CFR § 51.319(c)(1)(i)(A))	Deere Affidavit, ¶¶ 74-83
6.1.2	Trunk-side facilities (47 CFR § 51.319(c)(1)(i)(B))	Deere Affidavit, ¶¶ 74-83
6.1.3	All features, functions, and capabilities of the switch (47 CFR § 51.319(c)(1)(i)(C)) including:	Deere Affidavit, ¶ 77
6.1.3.1	Basic switching function and capabilities (47 CFR § 51.319(c)(1)(i)(C)(1))	Deere Affidavit, ¶ 77
6.1.3.2	All other features switch is capable of providing, including custom calling, CLASS, Centrex, and any technically feasible customized routing functions (47 CFR § 51.319(c)(1)(i)(C)(2))	Deere Affidavit, ¶¶ 77, 83
6.1.4	SWBT will transfer customer's local service in same interval it transfers customers between IXCs, if transfer requires only a software change (47 CFR § 51.319(c)(ii))	Deere Affidavit, ¶ 180
6.2	Tandem switching capability (47 CFR § 51.319(c)(2))	Deere Affidavit, ¶¶ 74-76, 79, 82, 85, 87
6.2.1	Trunk-connect facilities (47 CFR § 51.319(c)(2)(i))	Deere Affidavit, ¶ 82
6.2.2	Trunk-to-trunk switching function (47 CFR § 51.319(c)(2)(ii))	Deere Affidavit, ¶¶ 74, 82
6.2.3	Functions centralized in tandem switches, including call recording, routing to operator services, and signaling conversion features (47 CFR § 51.319(c)(2)(iii))	Deere Affidavit, ¶¶ 77, 82
6.3	Pricing is just, reasonable, and nondiscriminatory, is based on cost, and includes a reasonable profit (Act, § 252(d)(1))	Loehman Affidavit, ¶¶ 9a, c, f, g, 16-32; Schedule G
7	ACCESS TO 911 AND E911 SERVICES, OPERATOR CALL COMPLETION SERVICE, AND DIRECTORY ASSISTANCE (Checklist Item (vii))	
7.1	911 and E911 services (Act, § 271(c)(2)(B)(vii)(I))	Auinbauh Affidavit, Schedule 4 Deere Affidavit, ¶¶ 77, 114-131 Dysart Affidavit, ¶¶ 155-160
7.2	Operator call completion services (Act, § 271(c)(2)(B)(vii)(III))	Keener Affidavit, ¶¶ 4, 13-16

**Southwestern Bell
Texas 271 Affiant Matrix**

3/2/98 Draft

7.2.1	Nondiscriminatory rates, terms, and conditions for all carriers (47 CFR § 51.217(a)(2)(i))	Keener Affidavit, ¶¶ 4, 9-10, 15
7.2.2	With quality that is at least equal to that of SWBT (47 CFR § 51.217(a)(2)(ii))	Deere Affidavit, ¶¶ 114-116 Keener Affidavit, ¶ 15
7.2.3	With no unreasonable dialing delays (47 CFR § 51.217(b))	Keener Affidavit, ¶ 16
7.2.4	Accessible by dialing 0 or 0-, regardless of local service provider (47 CFR § 51.217(c)(2))	Deere Affidavit, ¶¶ 174-177 Keener Affidavit, ¶¶ 13-14
7.2.5	Make available in their entirety and provide access to all adjunct services (47 CFR § 51.217(c)(3)(iv))	Keener Affidavit, ¶¶ 13-16
7.2.6	Provide branding, or provide service without SWBT branding, upon request (47 CFR § 51.217(d))	Keener Affidavit, ¶¶ 9, 17-21
7.3	<i>Directory assistance services (Act, § 271(c)(2)(B)(vii)(II))</i>	Keener Affidavit, ¶¶ 7-12
7.3.1	Nondiscriminatory rates, terms, and conditions for all carriers (47 CFR § 51.217(a)(2)(i))	Keener Affidavit, ¶ 9
7.3.2	With quality that is at least equal to that of SWBT (47 CFR § 51.217(a)(2)(ii))	Keener Affidavit, ¶ 9
7.3.3	With no unreasonable dialing delays (47 CFR § 51.217(b))	Keener Affidavit, ¶ 10
7.3.4	Any customer of a competing provider can obtain directory listings, except unlisted numbers, for customers of any carrier on a nondiscriminatory basis (47 CFR §§ 51.217(c)(3)(i); 51.217(c)(3)(iii))	Keener Affidavit, ¶¶ 11-12
7.3.5	Directory listings provided to competing provider in readily accessible magnetic tape or electronic formats in a timely fashion (47 CFR § 51.217(c)(3)(ii))	Keener Affidavit, ¶¶ 11-12
7.3.6	Competing providers have access to and may read information in SWBT's directory assistance databases (47 CFR § 51.217(c)(3)(ii))	Deere Affidavit, ¶¶ 119, 131 Keener Affidavit, ¶¶ 11-12
7.3.7	Make available in their entirety and provide access to all adjunct services (47 CFR § 51.217(c)(3)(iv))	Keener Affidavit, ¶ 9
7.3.8	Provide branding, or provide service without SWBT branding, upon request (47 CFR § 51.217(d))	Keener Affidavit, ¶¶ 9, 17-21

8	WHITE PAGES (Checklist Item (viii))	
8.1	White pages directory listing for customers of other carrier's local exchange service (Act, § 271(c)(2)(B)(viii); 47 CFR § 51.319(c)(1)(i)(C)(1))	Auinbau Affidavit, ¶¶ 49-58; Schedule 4
9	ACCESS TO TELEPHONE NUMBERS (Checklist Item (ix))	
9.1	Nondiscriminatory access until the date numbering administration guidelines, plan, or rules are established (Act, § 271(c)(2)(B)(ix)); 47 CFR §§ 51.217(a)(2), 51.319(c)(1)(i)(C)(1))	Adair Affidavit, generally Auinbau Affidavit, Schedule 4
9.2	After that date, compliance with such guidelines, plan, or rules (Act, § 271(c)(2)(B)(ix))	Adair Affidavit, ¶ 22
9.3	Access at least equal to what SWBT provides itself (47 CFR § 51.217(c)(1))	Adair Affidavit, ¶ 10-18
10	ACCESS TO SIGNALING AND CALL-RELATED DATABASES (Checklist Item (x))	
10.1	Signaling Networks (47 CFR § 51.319(e)(1))	Deere Affidavit, ¶¶ 132, 134
10.1.1	Signaling links (47 CFR § 51.319(e)(1)(i))	Deere Affidavit, ¶ 133
10.1.2	Signaling transfer points (47 CFR § 51.319(e)(1)(i))	Deere Affidavit, ¶¶ 133, 135
10.1.3	For carriers purchasing unbundling switching capability, access to SWBT's signaling network in same manner as SWBT (47 CFR § 51.319(e)(1)(ii))	Deere Affidavit, ¶¶ 132-134, 136, 154-155
10.1.4	For requesting carriers with their own switching facilities, access to SWBT's signaling for each of carrier's switches in same manner as SWBT connects its switches to an STP (47 CFR § 51.319(e)(1)(iii))	Deere Affidavit, ¶¶ 134, 142, 149
10.2	Call-related databases (47 CFR § 51.319(e)(2))	Deere Affidavit, ¶¶ 132, 136, 154-155
10.2.1	Line information database (47 CFR § 51.319(e)(2)(ii))	Deere Affidavit, ¶¶ 137-143
10.2.2	Toll-free calling database (47 CFR § 51.319(e)(2)(ii))	Deere Affidavit, ¶¶ 145-152
10.2.3	Downstream number portability database (47 CFR § 51.319(e)(2)(ii))	Deere Affidavit, ¶¶ 170, 172-173 Fleming Affidavit, ¶¶ 10-11, 16, 22

10.2.4	AIN databases (47 CFR § 51.319(e)(2)(ii))	Deere Affidavit, ¶¶ 132, 136, 151-152
10.2.5	Physical access at the STP linked to the unbundled database (47 CFR § 51.319(e)(2)(ii))	Deere Affidavit, ¶¶ 133, 135, 142
10.2.6	Carriers purchasing local switching capability may access SWBT's service control point in same manner as SWBT (47 CFR § 51.319(e)(2)(iii))	Deere Affidavit, ¶ 134, 141-142, 151
10.2.7	Carrier deploying own switch given access to SWBT's service control point in manner allowing carrier to provide any call-related, database-supported services (47 CFR § 51.319(e)(2)(iv))	Deere Affidavit, ¶¶ 138, 141-142
10.2.8	Access to call-related databases complies with privacy provisions of § 222 of the Act (47 CFR § 51.319(e)(2)(vi))	Deere Affidavit, ¶¶ 140, 153
10.3	Service Management Systems (47 CFR § 51.319(e)(3))	Deere Affidavit, ¶ 152
10.3.1	Interconnects to the service control point and sends information and call processing instructions to service control point and provides requesting carriers with call-processing capabilities (47 CFR § 51.319(e)(3)(1)(A),(B))	Deere Affidavit, ¶¶ 132, 141-142, 151
10.3.2	Requesting carrier given information necessary to enter correctly, or format for entry, information for input into SMS (47 CFR § 51.319(e)(3)(ii))	Deere Affidavit, ¶ 152
10.3.3	Requesting carrier allowed same access as SWBT to develop AIN-based services via SMS (47 CFR § 51.319(e)(3)(iii))	Deere Affidavit, ¶¶ 151-152
10.3.4	Access to SMS complies with privacy provisions of § 222 of the Act (47 CFR § 51.319(e)(3)(v))	Deere Affidavit, ¶ 153
11	NUMBER PORTABILITY ((Checklist Item (xi))	
11.1	Provide interim number portability through RCF, DID or other comparable arrangements (Act, § 271(c)(2)(B)(xi); 47 CFR §§ 51.203, 52.27)	Auinbauh Affidavit, ¶¶ 59-74; Schedule 4 Deere Affidavit, ¶¶ 156, 158, 170-171 Kramer Affidavit, ¶¶ 16-22 Loehman Affidavit, ¶ 9d Lowrance Affidavit, ¶¶ 39-45
11.2	Any other comparable and technically feasible method upon request, as soon as reasonably possible (Act, § 271(c)(2)(B)(xi))	Deere Affidavit, ¶¶ 170-171

11.3	Competitively neutral cost recovery mechanism (47 CFR §§ 52.29, 52.29(a))	Deere Affidavit, ¶ 172
11.4	After regulations are issued, full compliance with performance criteria and schedules for implementation of long-term database method (Act, § 271(c)(2)(B)(xi); 47 CFR § 52.23)	Auinbauh Affidavit, ¶¶ 59-61 Fleming Affidavit, ¶¶ 8-16, 18-22; Appendices A, C
12	LOCAL DIALING PARITY (Checklist Item (xii))	
12.1	Provide requesting carriers with services and information necessary to implement local dialing parity in accordance with Act, § 251(b)(3)	Deere Affidavit, ¶¶ 174-177
12.2	Nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listings with no unreasonable dialing delays (Act, § 251(b)(3))	Deere Affidavit, ¶¶ 174-177
12.3	Ensure the same number of digits to dial a call regardless of the originating or terminating carrier (47 CFR §§ 51.205, 51.207)	Deere Affidavit, ¶¶ 174-177
13	RECIPROCAL COMPENSATION (Checklist Item (xiii))	
13.1	Establish reciprocal compensation arrangements for transport and termination of local telecommunications traffic with requesting carrier (Act §§ 251(b)(5), 252(d)(2), 271(c)(2)(b))	Auinbauh Affidavit, ¶¶ 75-84
13.2	<u>Either</u> provide for the mutual and reciprocal recovery by each carrier of costs associated with transport and termination of calls that originate on the network facilities of the other carrier (Act § 252(d)(2)(A)(i))	Auinbauh Affidavit, ¶¶ 75-84
13.2.1	Charges based on reasonable approximation of the additional cost of terminating such calls (Act § 252(d)(2)(A)(ii))	Auinbauh Affidavit, ¶¶ 75-84 Loehman Affidavit, ¶¶ 9f, g, 26-32
13.3	<u>Or</u> no charge for local traffic by party on whose network call originates (Act § 252(d)(2)(B)(i))	See § 13.2 above
14	RESALE (Checklist Item (xiv))	
14.1	Provide at wholesale rates any telecommunications service provided at retail to subscribers who are not telecommunications carriers (Act, § 251(c)(4)(A))	Loehman Affidavit, ¶ 36

14.1.1	With no unreasonable or discriminatory conditions or limitations (Act. § 251(c)(4)(B))	Loehman Affidavit, ¶¶ 36-38
14.1.1.1	Restrictions on resale may include restrictions on cross-class selling, short-term promotions, or any other restrictions the state commission considers reasonable and nondiscriminatory (47 CFR § 51.613)	Loehman Affidavit, ¶ 37
14.2	Wholesale rates based on retail rates, excluding the portion of retail rates attributable to marketing, billing, collection, and other costs that will be avoided in wholesale resale (Act. § 252(d)(3))	Loehman Affidavit, ¶¶ 39-41
14.3	Provide branding, or provide service without SWBT branding, upon request, for resold operator, call completion, or directory assistance service, unless SWBT proves to the state commission that restricting rebranding or unbranding is reasonable and nondiscriminatory (47 CFR §§ 51.613(c), (c)(1), (c)(2))	Keener Affidavit, ¶¶ 9, 17-21
14.4	For retail services SWBT has already offered to a limited group of customers, allow a requesting carrier to resell at wholesale rates those services to the same limited group of customers (47 CFR § 51.615)	Loehman Affidavit, ¶ 38
14.5	Assess end user common line charge on resellers in accord with 47 CFR § 51.617	Loehman Affidavit, ¶ 41



U. S. Department of Justice

Antitrust Division

*City Center Building
1401 H Street, NW
Washington, DC 20530*

March 6, 1998

Liam S. Coonan, Esq.
Senior Vice President and
Assistant General Counsel
SBC Communications, Inc.
175 E. Houston Street
San Antonio, Texas 78205

Re: SBC Performance Measures

Dear Mr. Coonan:

As part of the Department's commitment to work with all Bell companies on relevant issues in advance of their section 271 applications, the Department of Justice and SBC Communications, Inc. ("SBC") have, as you know, been spending considerable time discussing issues relating to wholesale support processes and performance measures. In that regard, you have provided us with a draft list of proposed performance measures, a list that you have supplemented as our discussions have progressed.

Attachment A is a comprehensive list of performance measures. With the qualifications set forth below, we are satisfied that the performance measures listed in Attachment A, to which SBC has agreed,¹ would be sufficient, if properly implemented, to satisfy the Department's need for performance measures for evaluating a Section 271 application filed in the not-too-distant future.

We appreciate SBC's engagement with the Department on satisfying our competitive assessment in advance of a filing and look forward to working with you on additional related issues. One such issue is whether the performance measures in Attachment A have been "properly implemented," since the majority of our discussions have dealt with the performance measures themselves and since it is upon the actual measures that this letter focuses. As you can appreciate, there are important repercussions that may arise from how the measures are implemented. For example, definitional issues and other details connected with the measures themselves (such as

¹ As we have discussed with you, the Department has agreed to narrow variances from Attachment A in light of certain SBC processes and procedures. Specifically, we have agreed that SBC need not provide separate operator services and directory assistance speed-of-answer measurements for branded and unbranded calls and that SBC can limit its 911 measurements to an error-clearing interval measure that is presently under development.